

KANSAS CITY

ARTICLE III. AIR POLLUTION*

*Amendment note—Second Committee Substitute for Ord. No. 35696, S.A, enacted April 26, 1968, repealed SS 18.92—18.97, derived from SS. 50.010—50.120 of the 1956 Revised Ordinances, as amended by Ord. No. 32372, enacted Nov. 14, 1958, pertaining to air pollution. Sec. D of the 1968 ordinance then added new SS 18.82—18.98 pertaining to the same subject. Committee Substitute for Ord. No. 365.39, S.A, enacted April 3, 1969, repealed SS. 1182—18.98, and S.D thereof then added new SS. 18.82—18.100 Secs. B and C of the 1969 ordinance, repealer and severability provisions, have not been codified. C.S. Ord. 41255, 6-8-72, repealed all provisions of Article III, and reenacted Secs. 18.82 through 18.102.2 in lieu thereof, to bring Article III into conformity with regulations adopted by the Missouri Air Conservation Commission.

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Sec. 18.83. Definitions.

The terms as used in this article shall have the following meaning:

(13) *Incinerator*: Any article, machine, equipment, contrivance, structure, or part of a structure used to burn refuse or to process refuse material by burning other than open burning as defined herein.

(15) *Multiple chamber incinerator*: Any article, machine, equipment, contrivance, structure or part of a structure, used to dispose of combustible refuse by burning, consisting of three or more refractory lined combustion furnaces in series, physically separated by refractory walls, interconnected by gas passage ports or ducts and employing adequate design parameters necessary for maximum combustion of the material to be burned. The refractories shall have a Pyrometric Cone Equivalent of at least 31, tested according to the method described in the American Society for Testing Materials, Method C-24-56.

Sec. 18.91. Incinerators.

(A) GENERAL PROVISIONS.

(1) *All incinerators*. This section shall apply to all incinerators.

(2) *Design requirements*. No incinerator shall be used for the burning of refuse unless such incinerator is a multiple chamber incinerator. Existing incinerators which are not multiple chamber incinerators may be altered, modified or rebuilt as may be necessary to meet the requirements of this section. The director may approve any other alteration or modification to an existing incinerator if such be found by him to be equally effective for the purpose of air pollution control as would result from the operation of a multiple chamber incinerator. All new incinerators shall be multiple chamber incinerators, provided that the director may approve any other kind of incinerator if he finds in advance of construction or installation that such other kind of incinerator is equally effective for purposes of air pollution control as an approved multiple chamber incinerator.

(3) *Test schedule*. Within thirty (30) days after the date on which installation or construction of an incinerator is completed, the installer shall file a request with the director to schedule the performance tests provided in subsection (C) of this section. If the results of the performance tests indicate that the incinerator is not operating in compliance with subsection (B) of this section, no person may cause or permit

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further operation of the incinerator, except for additional tests as outlined in subsection (C) of this section until approval is received from the director.

(4) *Capacity.* the burning capacity of an incinerator shall be the manufacturer's or designer's guaranteed maximum rate or such other rate as may be determined by the director in accordance with good engineering practice. In case of conflict, the findings of the director shall govern.

(B) RESTRICTION OF EMISSIONS FROM INCINERATORS.

(1) *Emission limitations.* No person shall cause or permit the emission of particulate matter from the chimney, stack or vent of any incinerator:

- (a) With a refuse burning capacity of 4,166 or more pounds per hour: in excess of 0.10 grains of particulate matter per standard dry cubic foot of exhaust gas, corrected to 12 percent (12%) carbon dioxide.
- (b) With a refuse burning capacity less than 4,166: in excess of 0.2 grains of particulate matter per standard dry cubic foot of exhaust gas, corrected to 12 percent (12%) carbon dioxide.
- (c) Of a shade or density equal to or darker than that designated as No. 1 on the Ringelmann Chart, or of such opacity as to obscure an observer's view to a degree equal to or greater than that designated as No. 1 on the Ringelmann Chart.

(2) *Odor control.* All incinerators shall be designed and operated so that all gases, vapors and entrained effluents shall while passing through the final combustion chamber, be maintained at a temperature adequate to prevent the emission of objectionable odors. Provided however, that the director shall approve any other method of odor control which he determines is equally effective.

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(C) PERFORMANCE TESTING.

(1) *Representative sample.* Refuse burned in conjunction with the performance tests specified in this section shall be a representative sample of the refuse normally generated by the operation which the incinerator is intended to serve.

(2) *Procedure.* The amount of particulate matter emitted from any incinerator shall be determined according to those methods listed in the Federal Register December 23, 1971 or as revised. Any other method which is in accordance with good professional practice may be used by mutual consent of the source operator and the director. In calculating the amount of particulate matter in stack gas, the loading shall be adjusted to twelve percent (12%) carbon dioxide in the stack gas. The carbon dioxide produced by burning of the liquid or gaseous fuel in the incinerator shall be excluded from the calculations converting to twelve percent (12%) carbon dioxide. Emissions shall be measured when the incinerator is operating at the burning capacity as defined in subsection (A)(4) of this section or at any greater operating rate requested by the source operator.

(3) *Compliance.* A performance test to determine compliance with the Ringelmann requirements specified in subsection (B)(1)(c) shall be performed by the director on each new incinerator, and each existing incinerator modified or rebuilt according to the schedule outlined in subsection (D) of this section.

(4) *When required.* The performance test specified in subsection (C)(2) of this section may be required on any incinerator, and shall be required for each new incinerator having a burning capacity of 1,000 pounds per hour or greater. The initial performance test shall be performed at the expense of the vendor or operator by an independent testing organization or by any other qualified person subject to approval of the director. The performance test may be observed by the director.

(D) INCINERATOR INSTALLATION PERMITS

(1) *Permit required.* No person shall erect, construct, alter or install any incinerator in any building or other structure or on any premises until a permit has been secured from the director pursuant to a written application therefor, upon forms furnished by the director.

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(2) *Plans and specifications.* Each application for a permit shall be accompanied by two sets of such drawings, specifications and data as are required to verify that the proposed work will conform to the provisions of this chapter. One set of drawings, specifications and data shall remain on file in the office of the director.

(3) *Revocation.* Any incinerator erected, constructed, altered or installed contrary to the plans or specifications submitted at the time of permit application shall cause the installation permit to become void.

(4) *Penalty.* Any person starting work for which a permit is required by this article prior to obtaining a permit shall be deemed guilty of a misdemeanor.

(E) INCINERATOR OPERATIONS PERMIT.

Before any incinerator described in section 18.91(A) may be operated or used, a written permit shall be obtained from the director. No permit to operate or use shall be granted by the director for any incinerator described in section 18.91(A) constructed or installed without authorization as required by section 18.91(D), until the information required is presented to the director and if necessary said incinerator be made to conform to the standards set forth in section 18.91(A) and elsewhere in the Air Pollution Control Code. (C.S. No. 36539, S.D, 4-3-69; C.S. No. 41255, 6-9-72)

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EPA Rulemakings

CFR: 40 C.F.R. 52.1320

FRM: FR 63 19823 (4/22/98)

PRM: FR 63 19876 (4/22/98)

State Submission: 3/20/97

State Proposal: 9/26/96

State Final: Effective 10/31/96

APDB File: MO-122

Description:	This revision eliminates sections of local ordinances covered by equivalent or more stringent Federally approved state rules and retains sections that are not.
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Difference Between the State and EPA-Approved Regulation

None.